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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,914	02/04/2002	Michael J. Wookey	P7234	5971

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EXAMINER	
HOFFMAN, BRANDON S	
ART UNIT	PAPER NUMBER
2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/066,914	WOOKEY ET AL.	
	Examiner	Art Unit	
	Brandon S. Hoffman	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5-9,11-15 and 19-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5-9,11-15 and 19-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 11-8-06
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 5-9, 11-15, and 19-22 are pending in this office action, claims 21 and 22 are newly added.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on November 8, 2006, is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

3. Applicant's arguments, filed November 4, 2006, have been considered but they are not persuasive.

Claim Rejections

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

5. Claims 1, 5-9, 11-15, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. (U.S. Patent No. 6,044,402) in view of Fisher (U.S. Patent No. 6,957,199).

Regarding claims 1 and 15, Jacobson et al. teaches an architecture/method for confirming the identity of a message sender on a remote services system, comprising:

- A communications module operable to transmit a message (fig. 1, ref. num 102);
- A cryptographic module in said communications module for providing encryption of a data stream in said message (fig. 15, ref. num 234 and col. 20, lines 24-37);
- A mid-level manager operating in said remote services system in conjunction with said communications module for controlling the flow of messages in said remote services system between a customer proxy and an applications server and for verifying the identity of a sender by comparing first and second data identities in said data stream (abstract) wherein said first data identity comprises data in a network software layer, said second identity comprises data in an application software layer (col. 22, line 47 through col. 23, line 5).

Jacobson et al. does not teach the encryption by said cryptographic module comprises secure sockets layer encryption.

Fisher teaches the encryption by said cryptographic module comprises secure sockets layer encryption (col. 31, lines 6-8).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine using secure sockets layer encryption, as taught by Fisher, with the architecture/method of Jacobson et al. It would have been obvious for

such modifications because SSL uses secret symmetric keys, which are faster for encryption/decryption and well adapted for use over HTTP.

Regarding claims 5 and 19, Jacobson et al. as modified by Fisher teaches wherein said mid-level manager is a customer mid-level manager (see fig. 7 of Jacobson et al., the NCB is part of a host computer).

Regarding claims 6 and 20, Jacobson et al. as modified by Fisher teaches wherein said mid-level manager is an aggregation mid-level manager (see fig. 17 of Jacobson et al., the NCB is a part of a subnet of host computers).

Regarding claims 7, 8, 13, and 14, Jacobson et al. as modified by Fisher teaches wherein transmission of said message is conditioned on HTTP and on an email protocol (see col. 4, lines 8-29 and fig. 2 of Jacobson et al.).

Regarding claim 9, Jacobson et al. teaches a method of confirming the identity of a message sender on a remote services system, comprising:

- Obtaining a first identity related to a message, said first identity being obtained from a network software layer in said remote services system (col. 22, lines 47-56);

- Obtaining a second identity related to the sender of a message, said second identity being obtained from an application software layer in said remote services system (col. 22, lines 56-63); and
- Comparing **at a mid-level manager, wherein said mid-level manager operates in said remote services system in conjunction with a communications module for controlling the flow of messages in said remote services system between a customer proxy and an applications server** (abstract), said first identity with said second identity to verify the identity of the sender of said message (col. 22, line 63 through col. 23, line 5).

Jacobson et al. does not teach operating **in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy**.

Fisher teaches operating **in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy** (col. 15, lines 52-56, col. 24, lines 15-18, and col. 32, lines 15-16).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine operating **in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy**, as taught by Fisher, with the method of Jacobson et al. It would have

been obvious for such modifications because the intermediate mid-level manager provides back up (through redundancy), ensures proper data (through integrity), and provides quick access to the data (through data queue management).

Regarding claim 11, Jacobson et al. as modified by Fisher teaches further comprising encrypting said message and said identities in an encryption module in said remote services system (see fig. 15, ref. num 234 and col. 20, lines 24-37 of Jacobson et al.).

Regarding claim 12, Jacobson et al. as modified by Fisher teaches said cryptographic module using secure socket layer encryption (see col. 31, lines 6-8 of Fisher).

Regarding claims 21 and 22, Jacobson et al. as modified by Fisher teaches wherein said mid-level manager operates in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy (see col. 15, lines 52-56, col. 24, lines 15-18, and col. 32, lines 15-16 of Fisher).

Response to Arguments

6. Applicant amends claim 9.

7. Applicant argues:

a. The references fail to teach a mid-level manager working in conjunction with a communications module for controlling the flow of messages between a customer proxy and an applications server (see page 7, last paragraph).

b. The references fail to teach working in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy (page 8, first paragraph).

Regarding argument (a), examiner disagrees with applicant. Figure 16, of Jacobson et al., shows an administrator computer, with an NCB administrating module within. The NCB provides the message control. The controlling takes place between a customer proxy and an application server, wherein the customer proxy is the user interface and user interface drivers, and the application server is any of the servers receiving the connection request (see col. 3, line 64 through col. 4, line 3). The flow of message between a customer proxy and application server is controlled by the NCB, which takes data packets from a network layer and an application layer, and compares them (see col. 22, line 47 through col. 23, line 5).

Regarding argument (b), examiner disagrees with applicant. This limitation was newly added with this amendment, and therefore moot in view of the new ground of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BH

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1/9/07